

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: **Barbara J Haney**

Case No.: **18-25262**

Judge: **CMG**

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☒ Modified/Notice Required

Date:

December 2018

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☒ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney BCT Initial Debtor: BJH Initial Co-Debtor _____

Part 1: Payment and Length of Plan

a. The debtor shall pay 157.00 Monthly to the Chapter 13 Trustee, starting on 8/1/2018 for approximately 36 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☒ Sale of real property
Description: 8306 Hana Road
Edison, New Jersey
Proposed date for completion: 3/31/2019

- ☐ Refinance of real property:
Description:
Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:
Plan is a Sale Plan. Plan will pay a 100% dividend to unsecured creditors. Real Estate tax liens/claims and condominium liens will be paid at closing of Real Estate Sale.

Part 2: Adequate Protection

☒ NONE

a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Albert Russo	Administrative	per statute
Bruce C. Truesdale	Attorney Fees	1,960.00
Township of Edison (taxes)	Taxes and certain other debts	12,349.03
Township of Edison (Sewer)	Taxes and certain other debts	145.00

TTLBL, LLC		Taxes and certain other debts	16,814.20
<p>b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount: Check one: <input checked="" type="checkbox"/> None <input type="checkbox"/> The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):</p>			
Creditor	Type of Priority	Claim Amount	Amount to be Paid

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
PRA Receivables Mgmt	2015 Kia Optima 50000 miles	11,867.00	unknown

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Creditor

Toyota Motor Credit Corp

g. Secured Claims to be Paid in Full Through the Plan ☐ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
Victoria Park Association	8306 Hana Road Edison, NJ 08817 Middlesex County	2,580.85

Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$___ to be distributed *pro rata*
- ☒ Not less than 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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Part 7: Motions ☒ **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ☒ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages

- 5) Priority Claims
6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ **NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.
Date of Plan being modified: _____.

Explain below why the plan is being modified:	Explain below how the plan is being modified:
DECEMBER 2018 Debtor is diligently pursuing a sale of her home, however she needs more time to procure a buyer and consummate a sale. An unaffected secured creditor was not treated in the prior plan.	DECEMBER 2018 The deadline in Part 1C was extended and a previously untreated secured creditor has been listed in Part 4.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☐ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☒ Explain here:

Sale Plan. 100% dividend to unsecured creditors. Real Estate tax liens and condominium association liens to be paid at closing of Real Estate Sale.

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: December 5, 2018 /s/ Barbara J Haney

Barbara J Haney

Debtor

Date: _____

Joint Debtor

Date: December 5, 2018 /s/ Bruce C. Truesdale

Bruce C. Truesdale

Attorney for the Debtor(s)

Certificate of Notice Page 7 of 8
 United States Bankruptcy Court
 District of New Jersey

In re:
 Barbara J Haney
 Debtor

Case No. 18-25262-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 39

Date Rcvd: Dec 06, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 08, 2018.

db
 517674775 +Barbara J Haney, 8306 Hana Road, Edison, NJ 08817-2002
 517758692 American Express, c/o Becket and Lee LLP, PO Box 3001, Malvern, PA 19355-0701
 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 517674780 +Curcio Mirzaian Sirot LLC, 5 Becker Farm Road, Suite 406, Roseland, NJ 07068-1761
 517674783 ++FIRST SAVINGS BANK, PO BOX 5096, SIOUX FALLS SD 57117-5096
 (address filed with court: First Savings Credit Card, 500 E 60th Street,
 Sioux Falls, SD 57104)
 517674784 +Main Street Acquisition Corp., P.O. Box 9201, Old Bethpage, NY 11804-9001
 517779002 Main Street Acquisition Corp., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 517674787 +PRA Receivables Mgmt, 10 Orchard Suite 100, Lake Forest, CA 92630-8308
 517806438 +TTLBL, LLC, c/o Pellegrino & Feldstein, LLC, 290 Route 46 West, Denville, NJ 07834-1239
 517674793 +TTLBL, LLC, 4747 Executive Drive, Suite 510, San Diego, CA 92121-3100
 517804941 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 517674794 +Victoria Park Association, 5200 Hana Road, Edison, NJ 08817-2580
 517792013 +Victoria Park Association, Inc., c/o Curcio Mirzaian Sirot LLC,
 5 Becker Farm Road, Suite 406, Roseland, NJ 07068-1761
 517674795 +William Singer, Singer & Fedun, 2230 Route 206, PO Box 134, Belle Mead, NJ 08502-0134

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Dec 07 2018 00:36:54 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Dec 07 2018 00:36:52 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517674776 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 07 2018 00:39:22 Capital One Bank,
 Po Box 30281, Salt Lake City, UT 84130-0281
 517725273 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 07 2018 00:39:23
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 517674777 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Dec 07 2018 00:36:24 Comenity Bank/Venus Credit,
 PO Box 182789, Columbus, OH 43218-2789
 517674778 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Dec 07 2018 00:36:24
 Comenity Capital Bank/Boscus, PO Box 182120, Columbus, OH 43218-2120
 517674779 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Dec 07 2018 00:36:24 Comenity Capital Bank/Ulta,
 PO Box 182120, Columbus, OH 43218-2120
 517674781 E-mail/Text: mrdiscen@discover.com Dec 07 2018 00:35:39 Discover Financial Services LLC,
 PO Box 15316, Wilmington, DE 19850-5316
 517687887 E-mail/Text: mrdiscen@discover.com Dec 07 2018 00:35:39 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 517674782 +E-mail/Text: taxcollector@edisonnj.org Dec 07 2018 00:36:57 Edison Tax Collector,
 100 Municipal Blvd, Edison, NJ 08817-3302
 517749759 E-mail/PDF: resurgentbknofifications@resurgent.com Dec 07 2018 00:50:27
 LVNV Funding, LLC its successors and assigns as, assignee of FNBK, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 517749771 E-mail/Text: bkr@cardworks.com Dec 07 2018 00:35:22 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 517674785 +E-mail/Text: bankruptcydpt@mcmcg.com Dec 07 2018 00:36:51 Midland Funding LLC,
 2365 Northside Dr #300, San Diego, CA 92108-2709
 517674786 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 07 2018 00:49:46
 Portfolio Recovery Associates, 120 Corporate Blvd, Suite 100, Norfolk, VA 23502
 517800969 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 07 2018 00:50:15
 Portfolio Recovery Associates, LLC, POB 41067, Norfolk VA 23541
 517674788 E-mail/Text: bnc-quantum@quantum3group.com Dec 07 2018 00:36:43 Quantum3 Group LLC,
 PO Box 788, Kirkland, WA 98083-0788
 517791723 E-mail/Text: bnc-quantum@quantum3group.com Dec 07 2018 00:36:43
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 517791722 E-mail/Text: bnc-quantum@quantum3group.com Dec 07 2018 00:36:43
 Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,
 Kirkland, WA 98083-0788
 517674789 +E-mail/Text: mary@rabperformance.com Dec 07 2018 00:37:39 RAB Performance Recoveries, LLC,
 10 Forest Avenue, Paramus, NJ 07652-5238
 517674790 E-mail/PDF: resurgentbknofifications@resurgent.com Dec 07 2018 00:49:58
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 517674791 E-mail/PDF: gecsed@recoverycorp.com Dec 07 2018 00:38:21 Synch/Amazon PLCC,
 PO Box 965015, Orlando, FL 32896-5015
 517679247 +E-mail/PDF: gecsed@recoverycorp.com Dec 07 2018 00:38:21 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 517795602 +E-mail/PDF: gecsed@recoverycorp.com Dec 07 2018 00:38:21 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 517674792 +E-mail/Text: taxcollector@edisonnj.org Dec 07 2018 00:36:57 Township of Edison,
 The Office of the Tax Collector, 100 Municipal Blvd, Edison, NJ 08817-3302
 517784943 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Dec 07 2018 00:50:59 Verizon,
 by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
 TOTAL: 25

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 39

Date Rcvd: Dec 06, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* +TTLBL, LLC, c/o Pellegrino & Feldstein, LLC, 290 Route 46 West, Denville, NJ 07834-1239
cr* +Victoria Park Association, Inc., c/o Curcio Mirzaian Sirot LLC, 5 Becker Farm Road,
Suite 406, Roseland, NJ 07068-1761

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 08, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 5, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Bruce C. Truesdale on behalf of Debtor Barbara J Haney brucectruesdalepc@gmail.com,
bctpcfcf@gmail.com/r49787@notify.bestcase.com
Deborah T. Feldstein on behalf of Creditor TTLBL, LLC dfeldstein@caplaw.net
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Ellen Miriam Goodman on behalf of Creditor Victoria Park Association, Inc.
egoodman@cmsllc.law, inbox@cmsllc.law
Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7